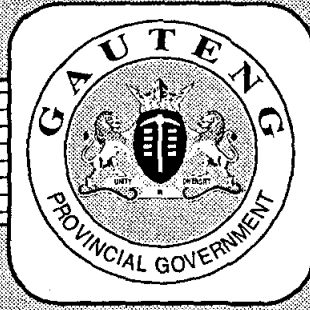


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**Provincial Gazette Extraordinary  
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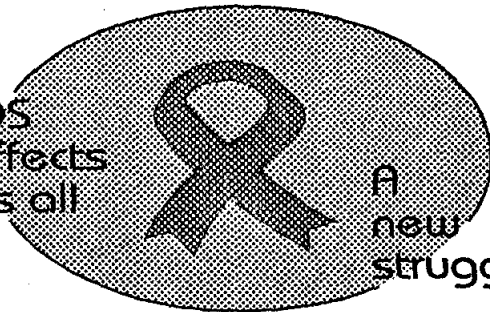
Vol. 11

PRETORIA, 15 DECEMBER  
DESEMBER 2005

**No. 540**

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affects  
us all



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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 3218

#### KUNGWINI LOCAL MUNICIPALITY BRONKHORSTSPRUIT AMENDMENT SCHEME

It is hereby notified in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Kungwini Local Municipality has approved an amendment scheme with regard to the land in the township Kungwini Country Estate Extension 1, being an amendment of the Bronkhorstspuit Town Planning Scheme, 1980.

Map 3 and the scheme clauses of this amendment scheme are filed with the Head: Technical Services, and are open for inspection during normal office hours.

This amendment is known as Bronkhorstspuit Amendment Scheme 313

**MUNICIPAL MANAGER  
KUNGWINI LOCAL MUNICIPALITY**

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### LOCAL AUTHORITY NOTICE 3219

#### KUNGWINI LOCAL MUNICIPALITY DECLARATION OF KUNGWINI COUNTRY ESTATE EXTENSION 1 AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Kungwini Local Municipality hereby declares the township of Kungwini Country Estate Extension 1 to be an approved township, subject to the conditions as set out in the Schedule hereto.

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY LABOUR FOCUS CC (HEREINAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER 3 (PART 3) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 42 (A PORTION OF PORTION 19) OF THE FARM TWEEFONTEIN 541 REGISTRATION DIVISION JR, GAUTENG PROVINCE, HAS BEEN GRANTED.

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Kungwini Country Estate Extension 1.

##### 1.2 DESIGN

The township shall consist of erven and streets as indicated on approved Layout Plan No. 500/899/01 and General Plan SG 4930/2005.

##### 1.3 CONSTRUCTION OF SERVICES AND/OR BUILDING WORK

Before any construction of services and/or building work is undertaken, complete detail plans and specifications of all services must be submitted to the local authority for approval.

##### 1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject and where applicable, entitled to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding:

- (i) Condition D on page 2 of Deed of Transfer T54627/2005 which does not affect the erven in the township:

- "D. Die eiendom hiermee getranporteer, synde gedeelte van die restant van gedeelte 19 is geregig tot 'n ewigdurende reg van weg 18,89 meter wyd oor die Resterende gedeelte van die plaas Tweefontein Nr 541 Registrasie Afdeling J.R. distrik Bronkhorstspuit, gehou kragtens Akte van Transport Nr. 16975/1947 soos aangetoon op Kaart L.G. Nr. 782/1967 geheg aan Notariele Akte Nr. 234/1968-S geregistreer op 1 Maart 1968."*
- (ii) Condition E on page 3 of Deed of Transfer T54627/2005 which affects Erven 77, 30, 78, 72 and 73 in the township only:
- "E. Subject further to a servitude of right of way in favour of portion 40 (a portion of Portion 19) of the FARM TWEEFONTEIN NO 541 JR, 7 metres wide as will more fully appear from Diagram 4040/1994 and Deed of Transfer T17149/1995."*
- (iii) Condition F on page 3 of Deed of Transfer T54627/2005 that affects Erven 30 and 78 in the township only:
- "F. Subject to a servitude for borehole purposes 4,00 metres wide as indicated by the line wxy on Diagram SG No 1141/1996 in favour of the Remaining Extent of Portion 19 of the FARM TWEEFONTEIN NO 541 JR."*
- (iv) Condition G on page 3 of Deed of Transfer T54627/2005 which affects Matroosberg Street in the township only:
- "G. Subject to a Right of Way Servitude for purposes of a public road as indicated by the figure abcdefghijklmnopqra on Diagram SG No 1141/1996 in favour of the Bronkhorstspuit Transitional Local Council."*
- (v) Condition K on page 3 of Deed of Transfer T54627/2005 which will not be passed on to owners of erven in the township:
- "K. Entitled to a perpetual servitude of water leading and pipeline over Erf 21 Kungwini Country Estate Township as created in and will more fully appear from Notarial Deed of Servitude K2536/2005S."*
- (vi) Condition L on page 3 of Deed of Transfer T54627/2005 which will not be passed on to owners of erven in the township:
- "L. Entitled to a perpetual servitude for the purpose of conveying electricity from and/or over Erf 8, Erf 11, Erf 13, Erf 17 and Erf 21 Kungwini Country Estate Township as created in and will more fully appear from Notarial Deed of Servitude K2537/2005S."*
- (vii) Condition M on page 3 of Deed of Transfer T54627/2005 which will not be passed on to owners of erven in the township:
- "M. Entitled to a perpetual servitude for the conveying and transmission of electricity, water and sewerage through the installation of pipelines over Portion 26 of Erf 10 Kungwini Country Estate Township as created in and will more fully appear from Notarial Deed of Servitude K2538/2005S."*

#### 1.5 FORMATION, DUTIES AND RESPONSIBILITIES OF THE HOMEOWNERS ASSOCIATION

- (i) The applicant shall properly and legally constitute a Home Owners Association to the satisfaction of the local authority prior to the transfer of any erf.
- (ii) Erven 58, 75, 76 and 78 up to and including 81 shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Home Owners Association. The Home Owners Association shall take full responsibility for the maintenance of such erven.
- (iii) The applicant shall install and then transfer the private engineering services to the Home Owners Association who shall be responsible for the maintenance thereof.
- (iv) The local authority shall not be liable for any damage to the access way and/or the stormwater drainage system and/or any engineering services in the township.

- (v) Owners of Erven 29, 30 up to and including 36, 38 up to including 57, 59, 61 up to and including 72 and 74 or of any subdivision thereof, or of any sectional title unit thereon or of any interest therein, shall automatically become and shall remain members of the Home Owners Association and be subject to its memorandum and articles until such owners cease to be owners as aforesaid. None of the said erven, nor any unit erected thereon, nor any interest therein, shall be transferred to any person who has not bound himself/herself/itself to the satisfaction of the Home Owners Association to become a member thereof and without the prior written confirmation of the Home Owners Association that all amounts due to the Home Owners Association by the owner have been paid.

#### 1.6 LAND FOR MUNICIPAL PURPOSES

- (i) The applicant shall reserve Erf 73 for municipal purposes.

#### 1.7 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The applicant shall, within such period as the local authority may determine, fulfill his obligations in respect of the provision of water, electricity and sanitary services, inclusive of refuse removal and the installation of systems therefor, as previously agreed upon between the applicant and the local authority, and on completion of construction work, "as built" plans certified by a professional engineer must be submitted to the local authority.

#### 1.8 RESTRICTION ON THE DISPOSAL OF ERF 73

The applicant shall not dispose of Erf 73 to any person or corporate body other than the local authority without first having given written notice to the local authority of such intention and given him first option for a period of 6 months to purchase the said erf at a price not higher than that at which it is proposed to dispose thereof to such person or corporate body.

## 2. CONDITIONS OF TITLE

### CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986

The erven mentioned hereunder shall be subject to the conditions as indicated.

#### 2.1 ALL ERVEN

- (i) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- (ii) No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2m thereof.
- (ii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area any material as may be excavated by them during the course of the construction, maintenance or removal of such works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such works being made good by the local authority.

#### 2.2 ERVEN 31 UP TO AND INCLUDING 37, 82 AND 83

The erf is subject to a 1:100 year floodline, as determined in terms of the National Water Act of 1998, and no habitable rooms or habitable structures shall be placed or constructed on the erf such that the room or structure be located below the determined flood level, without the prior consent of the local authority, being first had and obtained.

# IMPORTANT NOTICE

The  
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**NEW PARTICULARS ARE AS FOLLOWS:****Physical address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal address:**

Private Bag X85  
Pretoria  
0001

**New contact persons:** Awie van Zyl Tel.: (012) 334-4523  
Mrs H. Wolmarans Tel.: (012) 334-4591

**Fax number:** (012) 323-8805

**E-mail address:** [awvanzyl@print.pwv.gov.za](mailto:awvanzyl@print.pwv.gov.za)

**Contact persons for subscribers:**

Mrs S. M. Milanzi Tel.: (012) 334-4734  
Mrs J. Wehmeyer Tel.: (012) 334-4753  
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*In future, adverts have to be paid in advance  
before being published in the Gazette.*

**HENNIE MALAN**

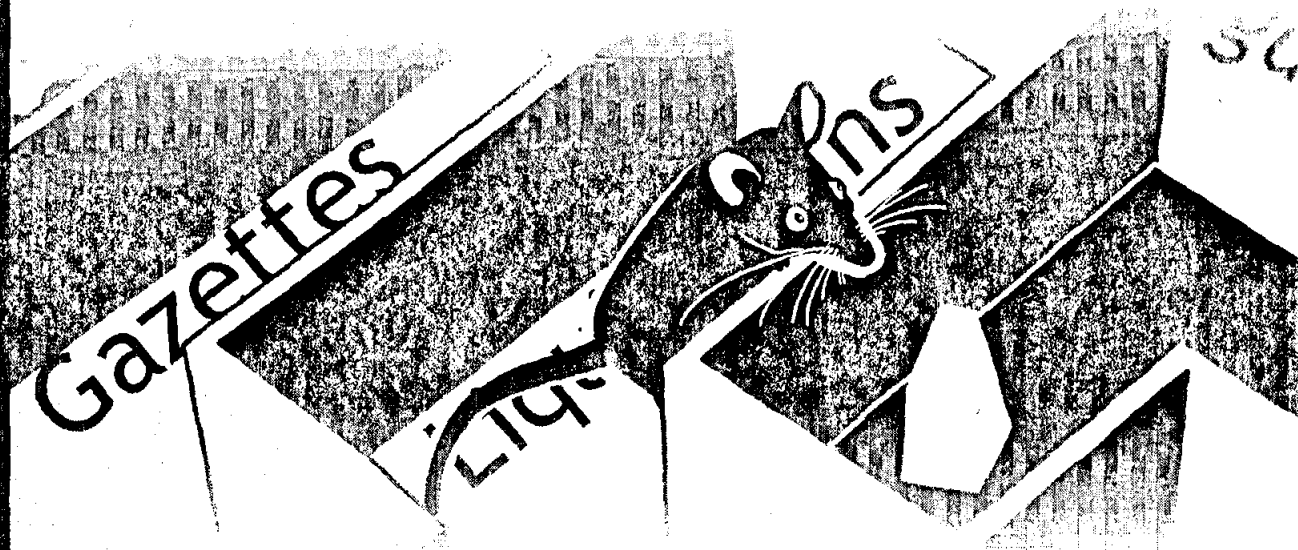
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